

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

C. EARL GRANT

Plaintiff,

vs.

NATIONAL BOARD OF MEDICAL EXAMINERS and
FEDERATION OF STATES MEDICAL BOARD

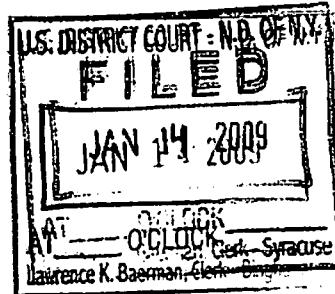
Defendants.

** E N D O R S E D O R D E R

C. Earl Grant, Plaintiff *Pro Se*

**MOTION FOR ADDITIONAL TIME IN WHICH TO RESPOND
TO CROSS MOTION FOR SUMMARY JUDGMENT**

1. Plaintiff respectfully petitions this Court to grant him an additional 90 days in which to file his response to the Defendants' Cross Motion for Summary Judgment.
2. In June 2007, the Plaintiff retained Mr. Stefan Berg to represent him in this matter.
3. In approximately June 2008, the Plaintiff believes that Mr. Berg was suspended from the practice of law, and since then, the Plaintiff has unsuccessfully attempted to obtain the case records from Mr. Berg. The Plaintiff believes that Mr. Berg has court filings and correspondence relevant to this matter, which Mr. Berg refuses to furnish to the Plaintiff, in spite of the fact that the Plaintiff has paid Mr. Berg's fee in full. The Plaintiff has made several requests for this information from Mr. Berg, with the most



recent being on 5 JAN 09, a copy of which is attached hereto at "Exhibit A". To date,

Mr. Berg has not responded to the Plaintiff's requests.

6. In addition, the Plaintiff is actively seeking private counsel in this matter, and expects to retain a new attorney shortly.

7. Given the expansive motion for summary judgment filed by the Defendants in this matter, the Plaintiff requires the assistance of a licensed attorney to fully and adequately respond to the motion now before the Court.

WHEREFORE, the Plaintiff asks that this Court grant him an additional 90 days, or other such time as the Court may grant him, to reply to the Defendants' Cross Motion for Summary Judgment. The Plaintiff also asks for such other and further relief as the Court may determine to be just and equitable.

Respectfully Submitted,

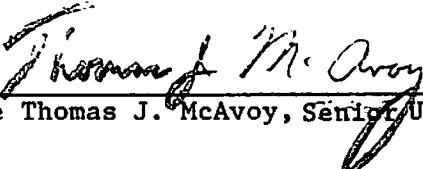
Dated: 9 JANUARY 2009

BY: C. Earl Grant
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Plaintiff, *Pro Se*
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IT IS SO ORDERED;

Motion for extension of time GRANTED IN PART. Plaintiff's Motion to Amend and Defendant's Cross-Motion for Summary Judgment shall be placed on the Court's February 27, 2009 Motion Calendar at 10:00 a.m. in Binghamton, NY. Plaintiff's response to Defendant's Cross-Motion for Summary Judgment shall be filed on or before February 10, 2009. Defendants' reply papers, if any, shall be filed on or before February 17, 2009. In responding to Defendant's motion for summary judgment, Plaintiff should familiarize himself with the Pro Se Manual available on the Court's website "www.nynd.uscourts.gov" and, in particular, the requirements applicable to motions for summary judgment.

Dated: 01-14-09


Honorable Thomas J. McAvoy, Senior U.S. District Judge